

# **EXHIBIT 4**

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FEDERAL TRADE COMMISSION  
PROTECTING AMERICA'S CONSUMERS

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# FTC Looks to Modernize Its Guidance on Preventing Digital Deception

## As Companies Wrongly Invoke the Guide to Justify Deception, Agency Seeks Public Input on Possible Revisions Around Dark Patterns and Other Deceptive Tactics

June 3, 2022 |

**Tags:** [Consumer Protection](#) | [Bureau of Consumer Protection](#) | [Advertising and Marketing](#) | [Online Advertising and Marketing](#)

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The staff of the Federal Trade Commission is seeking the public's input on ways to modernize the agency's business guidance titled ".com Disclosures: How to Make Effective Disclosures in Digital Advertising." First published in March 2013, this resource provides [guidance to businesses on digital advertising](#) and marketing.

As digital deception grows in sophistication, some companies are wrongly citing the guides to justify practices that mislead consumers online. For example, firms have claimed that they can avoid liability under the FTC Act by burying disclosures behind hyperlinks, a practice that can expose consumers to financial fraud, intrusive surveillance, and other harms.

"We know that some companies are wrongly citing our current guides to justify dark patterns and other forms of digital deception," said Samuel Levine, Director of the FTC's Bureau of Consumer Protection. "We are looking to update the guides to make clear that online tricks and traps will not be tolerated, and we look forward to hearing from the public on this initiative."

FTC staff is seeking public input to ensure the guides are helping honest businesses treat consumers fairly, rather than being used as a shield by firms looking to deceive. In seeking public comment on possible revisions, staff is interested in the technical and legal issues that consumers, the FTC's law enforcement partners, and others believe should be addressed. The issues on which FTC staff is [seeking comment](#) include:

- the use of sponsored and promoted advertising on social media;

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that consumers, the FTC's law enforcement partners, and others believe should be addressed. The issues on which FTC staff is [seeking comment](#) include:

- the use of sponsored and promoted advertising on social media;
- advertising embedded in games and virtual reality and microtargeted advertisements;
- the ubiquitous use of dark patterns, manipulative user interface designs used on websites and mobile apps, and in digital advertising that pose unique risks to consumers;
- whether the current guidance adequately addresses advertising on mobile devices;
- whether additional guidance is needed to reflect the multi-party selling arrangements involved in online commerce and affiliate marketing arrangements;
- how the guidance on the use of hyperlinks can be strengthened to better protect consumers; and
- the adequacy of online disclosures when consumers must navigate multiple webpages;


The FTC will seek public comment beginning today and continuing through August 2, 2022. Information on how to submit comments can be found [here](#).

This is one of a number of initiatives the FTC is undertaking to tackle dark patterns and digital deception, including issuing a [click-to-cancel policy statement](#), [proposing strengthened advertising guidelines](#) against fake and manipulated reviews, arming staff [with new tools to investigate dark patterns](#), and authorizing a [Notice of Penalty Offense against deceptive reviews](#).

The Federal Trade Commission works to promote competition and [protect and educate consumers](#). Learn more about consumer topics at [consumer.ftc.gov](https://consumer.ftc.gov), or report fraud, scams, and bad business practices at [ReportFraud.ftc.gov](https://ReportFraud.ftc.gov). Follow the [FTC on social media](#), read [consumer alerts](#) and the [business blog](#), and [sign up to get the latest FTC news and alerts](#).

## Contact Information

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